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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

WELLS FARGO BANK, N.A. AS
TRUSTEE, ON BEHALF OF THE
HOLDERS OF THE HARBORVIEW
MORTGAGE LOAN TRUST MORTGAGE
LOAN PASS-THROUGH CERTIFICATES,
SERIES 2006-12

Plaintiff,
vs.

FIDELITY NATIONAL TITLE INSURANCE COMPANY; FIDELITY NATIONAL TITLE GROUP, INC.; AND FIDELITY NATIONAL TITLE AGENCY OF NEVADA, INC.; DOE INDIVIDUALS I through X; and ROE CORPORATIONS XI through XX, inclusive.

Defendants.

Case No.: 2:21-cv-02231-APG-EJY

**STIPULATION AND ORDER TO STAY
DISCOVERY AND BRIEFING ON
MOTIONS TO DISMISS [ECF Nos. 22-
24] PENDING MOTION FOR REMAND
[ECF No. 13]**

Plaintiff Wells Fargo Bank, N.A., as trustee, on behalf of the Holders of the Harborview Mortgage Loan Trust Mortgage Loan Pass-Through Certificates, Series 2006-12 (“Wells Fargo”) and Defendants Fidelity National Title Insurance Company (“Fidelity National”), Fidelity National Title Group, Inc. (“Fidelity”), and Fidelity National Title Agency of Nevada, Inc. (“Fidelity Agency”, collectively “Defendants,” and with Wells Fargo, the “Parties”), by and through their counsel of record, hereby stipulate and agree as follows:

28 ||| WHEREAS, on December 21, 2021, Wells Fargo filed its Complaint in the Eighth

1 Judicial District Court, Case No. A-21-845721-C [ECF No. 1-1];

2 **WHEREAS**, on December 22, 2021, Fidelity National filed a Petition for Removal to this
3 Court [ECF No. 1];

4 **WHEREAS**, on January 21, 2022, Wells Fargo filed a Motion for Remand [ECF No. 13];

5 **WHEREAS**, the Motion for Remand has been fully briefed and is pending the Court's
6 decision [ECF Nos. 19, 21];

7 **WHEREAS**, on February 3, 2022, this Court entered its Scheduling Order [ECF No. 15].

8 **WHEREAS**, on February 23, 2022, Fidelity National and Fidelity Agency filed Motions
9 to Dismiss [ECF Nos. 22-23].

10 **WHEREAS**, on February 24, 2022, Fidelity filed a Motion to Dismiss [ECF No. 22-24].

11 **NOW THEREFORE**, the Parties, by and through their undersigned counsel, hereby
12 stipulate and agree as follows:

- 13 1. In the interests of judicial economy, the Parties stipulate and agree that discovery in
14 this case shall be **STAYED** pending the Court's decision on Wells Fargo's Motion for
15 Remand [ECF No. 13];
- 16 2. The Scheduling Order [ECF No. 15] in this case is hereby **VACATED**.
- 17 3. Briefing on Defendants' Motions to Dismiss [ECF Nos. 22-24] is **STAYED** pending
18 the Court's decision on Wells Fargo's Motion for Remand [ECF No. 13].
- 19 4. The Parties shall not file any motions to enforce Party discovery while this stay is
20 pending.
- 21 5. Each of the Parties shall be excused from responding to any now-outstanding discovery
22 requests propounded by the other until after the stay is lifted.
- 23 6. Nothing contained in this stipulation will prevent the Parties from propounding and
24 enforcing third party subpoenas.
- 25 7. Each of the Parties may request a further Fed R. Civ. P. 26(f) conference at any time
26 180 days after the order granting this Stipulation.
- 27 8. By entering into this Stipulation, none of the Parties is waiving its right to subsequently
28 move the Court for an order lifting the stay in this action.

1 9. In the event the Motion for Remand is denied and this Court retains jurisdiction, the
2 Parties will submit a proposed discovery plan, as well as a stipulated briefing schedule
3 on the Motions to Dismiss within thirty (30) days of the Court's Order.

4 **IT IS SO STIPULATED.**

5 DATED this 9th day of March, 2022.

6 WRIGHT, FINLAY & ZAK, LLP

7 */s/ Lindsay D. Dragon*

8 Lindsay D. Dragon, Esq.

9 Nevada Bar No. 13474

10 7785 W. Sahara Ave., Suite 200

11 Las Vegas, NV 89117

12 *Attorneys for Plaintiff, Wells Fargo Bank,
N.A., as trustee, on behalf of the Holders of the
Harborview Mortgage Loan Trust Mortgage
Loan Pass-Through Certificates, Series 2006-*

13 12

14 DATED this 9th day of March, 2022.

15 EARLY SULLIVAN WRIGHT
16 GIZER & McRAE LLP

17 */s/ Sophia S. Lau*

18 Sophia S. Lau, Esq.

19 Nevada Bar No. 13365

20 8716 Spanish Ridge Avenue, Suite 105

21 Las Vegas, Nevada 89148

22 *Attorney for Defendants, Fidelity National
Title Insurance Company, Fidelity National
Title Group, Inc., and Fidelity National Title
Agency of Nevada, Inc.*

15 **IT IS SO ORDERED.**

16 Dated this 9th day of March, 2022.

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18 _____
19 UNITED STATES MAGISTRATE JUDGE